

UNIVERSITAS EDUCATION, LLC V. NOVA GROUP, INC., CASE NO. 11-1590-LTS-HBP (S.D.N.Y.)

**Supplemental Affidavit of Service for
Universitas's Motion for Turnover and
Permanent Injunction**

EXHIBIT 3

Michael Barnett

From: Ira Kleiman <ik@briefjustice.com>
Sent: Wednesday, October 23, 2013 3:21 PM
To: Michael Barnett
Subject: RE: Universitas Education, LLC v. Nova Group, Inc., Case No. 11-1590-LTS-HBP (S.D.N.Y.)

Michael:

Sorry, I meant to respond to this earlier. My firm does represent the Charter Oak Trust, and service by e-mail is of course fine.

Ira

Ira Kleiman, Esq.
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Tel. 212-758-6160
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From: Michael Barnett [mailto:mbarnett@loeb.com]
Sent: Monday, October 21, 2013 2:38 PM
To: tonyiano@aol.com; Carole Bernstein <cbernsteinesq@gmail.com> (cbernsteinesq@gmail.com);
gduhl@siegeloconnor.com; Ira Kleiman; Matthew J. Brief
Cc: Paula Colbath; labelle@halloran-sage.com
Subject: Universitas Education, LLC v. Nova Group, Inc., Case No. 11-1590-LTS-HBP (S.D.N.Y.)

Dear Counsel:

This afternoon, Universitas Education, LLC filed a turnover motion and motion for permanent injunction, naming the following as Respondents:

- i. Daniel E. Carpenter
- ii. Grist Mill Capital, LLC
- iii. Grist Mill Holdings, LLC
- iv. Carpenter Financial Group
- v. Avon Capital, LLC
- vi. Phoenix Capital Management, LLC
- vii. Grist Mill Trust Welfare Benefit Plan

- viii. Hanover Trust Company
- ix. Charter Oak Trust Welfare Benefit Plan

Based on prior correspondence, we understand these Respondents to be represented by the following attorneys:

- i. Respondents Daniel E. Carpenter, Grist Mill Holdings, LLC, Carpenter Financial Group, Phoenix Capital Management, LLC and Hanover Trust Company – represented by **Anthony J. Siano**
- ii. Respondents Grist Mill Capital, LLC and Avon Capital, LLC – represented by **Carole R. Bernstein**
- iii. Respondent Grist Mill Trust Welfare Benefit Plan – represented by **Glenn A. Duhl**
- iv. Respondent Charter Oak Trust Welfare Benefit Plan – represented by **Ira Kleiman and Matthew J. Brief**

By this e-mail we are attempting to effect service of the motion upon each of the Respondents by e-mail to respective counsel. Please let me know by Wednesday, October 23 at noon if (a) I am misunderstood as to a certain attorney representing a certain Respondent and/or (b) a Respondent who has not already appeared in the action declines to accept service by e-mail.

Please find attached (in a .ZIP file) copies of the papers filed today in support of Universitas' motion, as well as a copy of our letter to Judge Swain enclosing courtesy copies of the papers.

Thank you.

Sincerely,

Michael

From: NYSD_ECF_Pool@nysd.uscourts.gov [mailto:NYSD_ECF_Pool@nysd.uscourts.gov]

Sent: Monday, October 21, 2013 2:08 PM

To: CourtMail@nysd.uscourts.gov

Subject: Activity in Case 1:11-cv-08726-LTS Nova Group, Inc v. Universitas Education, LLC Motion for Miscellaneous Relief

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U.S. District Court

Southern District of New York

Notice of Electronic Filing

The following transaction was entered by Barnett, Michael on 10/21/2013 at 2:08 PM EDT and filed on 10/21/2013

Case Name: Universitas Education, LLC v. Nova Group, Inc.

Case Number: [1:11-cv-01590-LTS-HBP](#)

Filer: Universitas Education, LLC

WARNING: CASE CLOSED on 06/07/2012

Document Number: [308](#)

Docket Text:

MOTION for Turnover and Permanent Injunction. Document filed by Universitas Education, LLC. (Attachments: # (1) Affidavit of Service)Filed In Associated Cases: 1:11-cv-01590-LTS-HBP, 1:11-cv-08726-LTS(Barnett, Michael)

Case Name: Nova Group, Inc v. Universitas Education, LLC

Case Number: [1:11-cv-08726-LTS](#)

Filer: Universitas Education, LLC

WARNING: CASE CLOSED on 06/07/2012

Document Number: [214](#)

Docket Text:

MOTION for Turnover and Permanent Injunction. Document filed by Universitas Education, LLC. (Attachments: # (1) Affidavit of Service)Filed In Associated Cases: 1:11-cv-01590-LTS-HBP, 1:11-cv-08726-LTS(Barnett, Michael)

1:11-cv-01590-LTS-HBP Notice has been electronically mailed to:

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1:11-cv-01590-LTS-HBP Notice has been delivered by other means to:

1:11-cv-08726-LTS Notice has been electronically mailed to:

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1:11-cv-08726-LTS Notice has been delivered by other means to:

Nova Group, Inc

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1008691343 [Date=10/21/2013] [FileNumber=12113890-0] [0020a59b1f02a1e0555e7759aafd64cee2e0a7c8c39d9ac9becc9bc902a7e3ae7816d68583b95d56ee6b1348d05ac16b6fb04b3ae6f75a3055c15afbb424a95c]]

Document description: Affidavit of Service

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1008691343 [Date=10/21/2013] [FileNumber=12113890-1] [b633ee7b3e7da27fe4c571021cc0d0bb886bf1b119cb9312a0414a279ee58cc2a4b68806296a6ee5c042d4bb893a0e0c86eb0a6c8ca399257f6423eab67b2ab9]]

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